

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-145 are pending. Claims 1-20, 69-88, 137-139, 141, 142 and 145 stand rejected. Claims 21-68, 89-136, 140, 143 and 144 have been withdrawn from consideration.

Claims 1, 3, 12, 69, 71, 80, 137, 138, 139, 141, and 142 have been amended. Claims 21-68, 89-136, 140, 143 and 144 have been cancelled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed.

Applicants submit that the amendments do not add new matter.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-6, 10-13, 15-16, 19-20, 69-74, 78-81, 83-84, 137-139, 141-142 and 145 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,629,138 of Lambert, et al. ("Lambert") in view of U.S. Patent No. 6,546,421 of Wynblatt, et al. ("Wynblatt").

Lambert discloses a method and apparatus for storing and delivering documents on the Internet. Users subscribe to "channels", which automatically bring new content to the user's machine from a publisher. The method relies on maintaining statistics on a remote server. First, the publisher's (remote) server analyzes initially requested data to identify references, and then it assigns a weight to each identified reference. The weight represents likelihood that the data will be requested by the client. After weighting, the data are downloaded in order of decreasing weight to the client's device. The estimation of the likelihood is based on a user's past usage of these data and on statistics supplied by a content provider (Lambert, col.2, lines 30-60). Lambert discloses a manner, in which the client machines communicate with the remote server through caching server:

The presently claimed invention consists of three major components: the content bar... 302, caching server 304, and back-end server 350, as illustrated in fig. 2.... The content bar 302 on a subscriber's client machine is a rendering environment for published content... For example, while the content bar 302 always resides on a subscriber's client machine, and the back-end server 350 always resides on a publisher's back-end server machine, there can be any number of intermediate caching servers between the subscriber and the publisher. The caching servers do not have to reside on the client machine... In this embodiment, each caching server 304 is implemented as a standard HTTP proxy server... Fig. 3 illustrates an overview of how three components... interact with each other. A subscriber's requests to retrieve certain published content are managed by subscription manager 306, which resides on the subscriber's client machine. Subscription manager 306 communicates with Web browser 100 on the client machine to demand the requested content. Web browser 100 then sends an HTTP request to a remote caching server 304. In response, caching server 304 either retrieves cached content from cache 300 or sends an HTTP request via the Internet to a publisher's machine to retrieve non-cached content.

(Lambert, col.5, line28 to col. 6, line 12).

Wynblatt discloses a system and method for automatic selection of Internet data streams based on predefined parameters. The system comprises remote data stream servers, "descriptive servers", or World Wide Web servers each having "descriptive pages", and a "friendly server" with a list of Internet addresses of the data stream servers and the web servers. The descriptive pages are used for conveying information regarding the content of the data stream servers. The client program communicates (through an optional proxy server) with the data stream, descriptive and friendly servers, using the respective protocols RTSP, HTTP, and FTP. The local computer comprises a local profile module that contains personal preferences (predefined parameters) of the user, which are accessed by the client program during the selection of user-preferred data streams (Wynblatt, col. 2, line 54 to col.3, line 52). In fact, the part of the reference cited by the Examiner merely discloses how the client program extracts the relevant information from the descriptive web page based on the descriptive information contained on the web page:

Referring again to Fig. 3, after the data source addresses are downloaded (steps 301 and 302), the client program 116 uses such addresses to send HTTP requests to download descriptive pages from the descriptive servers 111 (step 303). As explained above, the

descriptive pages serve to convey information about the content of one or more corresponding data streams on the data stream servers 110. This “descriptive” information can either be in a complex format or in a format as simple as a title or description of the current content of the data stream. In any event, it is preferred that such information (of the descriptive pages) be provided in a compatible predefined format, so that client program 116 can readily extract the relevant information from the descriptive page after it is downloaded. It is to be understood that descriptive pages could also comprise extraneous information, as long as relevant information is recognizable by the client program 116.

(Wynblatt, col.4, line 54 to col.5, line 4).

More specifically, Wynblatt discloses that selection parameters may include a title of artist, a title of musical piece, or a program schedule (col. 4, lines 5-21).

Presently claimed invention in claim 1 for example, in contrast to Wynblatt, discloses an identifier, which is associated with the streaming media data, and is at least one of a transmit time data and a packet frame type data, as recited in amended claim 1:

A method of producing a representation of a streaming media data at a caching proxy server, said method comprising:

transmitting a request for streaming media data to be delivered to said caching proxy server;

transmitting a request for data associated with said streaming media data, said request including an identifier which is associated with said streaming media data, and is at least one of a transmit time data and a packet frame type data;

receiving said streaming media data and storing said streaming media data on a storage device which is capable of being controlled by said caching proxy server; and receiving said data associated with said streaming media data.

(Amended claim 1) (Emphasis added).

Therefore, applicants respectfully submit that Wynblatt does not disclose transmitting a request for data associated with said streaming media data, said request including an identifier which is associated with said streaming media data, and is at least one of a transmit time data and a packet frame type data, as recited in amended claim 1. Accordingly, Wynblatt lacks the same features of amended claim 1 that are missing from Lambert.

Thus, Lambert and Wynblatt, taken alone or in combination, does not teach or suggest transmitting a request for data associated with said streaming media data, said request including

an identifier which is associated with said streaming media data, and is at least one of a transmit time data and a packet frame type data, as recited in amended claim 1. Since the combination of Lambert and Wynblatt does not set forth all the elements of amended claim 1, Applicants respectfully submit that amended claim 1 is not obvious under 35 U.S.C. § 103 (a) over Lambert in view of Wynblatt.

Independent claims 3, 12, 69, 71, 80, 137-139, 141, 142, and 145 contain substantially similar limitations to amended claim 1. Therefore, applicants respectfully submit that claims 3, 12, 69, 71, 80, 137-139, 141, 142, and 145 for at least the same reasons as advanced above, are not obvious under 35 U.S.C § 103 (a) over Lambert in view of Wynblatt.

Given that dependent claims 2, 4-11, 13-20, 70, 72-79, and 81-88 depend directly or indirectly on claims 1, 3, 12, 69, 71, and 80, respectively, applicants respectfully submit that claims 2, 4-11, 13-20, 70, 72-79, and 81-88 are likewise not obvious under 35 U.S.C. § 103 (a) over Lambert in view of Wynblatt.

Claims 7-9, 14-15, 17-18, 75-77, 82-83, and 85-86 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,629,138 of Lambert, et al. ("Lambert") in view of U.S. Patent No. 6,546,421 of Wynblatt, et al. ("Wynblatt") and further in view of U.S. Patent No. 6,275,471 of Bushmitch, et al. ("Bushmitch").

Bushmitch discloses a method for reliable real-time multimedia streaming. Under Bushmitch's Reliable Protocol, an entire data block, including any missing and lost data packets, is reconstructed from all of the individual data packets through the use of a selective negative acknowledgement mechanism. To assist in the data packet reconstruction process, each transmitted data packet includes the unique synchronization source identifier, wherein both sender and recipient are incorporated into the header extension area of the data packet. More specifically, Bushmitch discloses that

Each instance of an application software module (i.e. object) in the media delivery system carries a unique system identifier called an Object ID, and therefore different sender entities and receiver entities have naturally distinct Object IDs...An Object ID is represented by a 64-bit unsigned integer value created by combining the host machine name (i.e. IP address) with a 32-bit index of the running thread 56. Different sender entities invoked on the same host machine each have different thread index and thus have different Object IDs....

(Bushmitch, col. 4, lines 41-54).

Thus, unlike the present disclosure, Bushmitch's data identifier is related to a host machine name and a running tread.

Further, in Bushmitch's data packet transmission process, a receiver determines, depending on the data block size, how many RTP payloads to expect from the sender in a particular data block transmittal cycle. When the receiver detects an "out of sequence" condition or fails to receive the last packet, there is a programmable timeout variable, which specifies when the negative acknowledgment message is to be sent to the sender (Bushmitch, col. 5, line 58 to col. 6, line 14). In contrast to the present disclosure, Bushmitch's timeout variable does not represent type of transmitted data, in particular, it does not represent the transmit time for the data packet, as recited in amended claim 1. Accordingly, Bushmitch does not disclose transmitting a request for data associated with said streaming media data, said request including an identifier which is associated with said streaming media data, and is at least one of a transmit time data and a packet frame type data, as recited in amended claim 1.

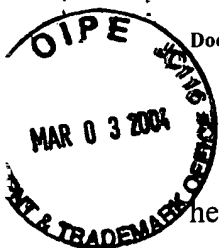
Thus, Bushmitch lacks the same features of amended claim 1 that are missing from Lambert and Wynblatt. Therefore, applicants respectfully submit that these references cannot be logically combined. Hence, applicants respectfully submit that amended claim 1 is not obvious under 35 U.S.C. § 103 (a) over Lambert in view of Wynblatt and further in view of Bushmitch. Independent claims 3, 12, 69, 71, 80, 137-139, 141, 142, and 145 contain substantially similar limitations to amended claim 1. Therefore, applicants respectfully submit that claims 3, 12, 69,

71, 80, 137-139, 141, 142, and 145 for at least the same reasons as advanced above, are not obvious under 35 U.S.C § 103 (a) over Lambert in view of Wynblatt and further in view of Bushmitch.

Given that dependent claims 2, 4-11, 13-20, 70, 72-79, and 81-88 depend directly or indirectly on claims 1,3, 12, 69, 71, and 80, respectively, applicants respectfully submit that claims 2, 4-11, 13-20, 70, 72-79, and 81-88 are likewise not obvious under 35 U.S.C. § 103 (a) over Lambert in view of Wynblatt and further in view of Bushmitch.

It is also respectfully submitted that none of the references discussed above teach or suggest a combination with each other.

In addition, applicants respectfully submit that there is no motivation within the references themselves to combine these references, because they are oriented toward different areas: Lambert's disclosure addresses the problem of effective Internet search by providing the subscription mechanism that delivers new and updated information from the publishers' sites to the client's machine in response to the user's request; Wynblatt's disclosure is oriented toward automatic selection of Internet data streams by using predefined parameters; and Bushmitch addresses the problem of reconstruction of missing or lost data packets during the real-time multimedia streaming by using negative acknowledgment mechanism. The present disclosure, in contrast, addresses the problem of handling the real-time multimedia streaming data loads at the client's machine and the problem of smooth packet delivery utilizing the identifier that represents type of multimedia streaming data. Therefore, since these references cannot be logically combined, applicants respectfully submit that claims 1-20, 69-88, 137-139, 141, 142 and 145 are not obvious over these references.



It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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Date: March 1, 2004 By: \_\_\_\_\_

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